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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/584,806	06/28/2006	Oliver Winzenried	125542-1005	3399
7590 Michael E Martin Gardere Wynne Sewell 1601 Elm Street Suite 3000 Dallas, TX 75201		11/14/2007	EXAMINER RUIZ, ANGELICA	
			ART UNIT 2169	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/584,806

Applicant(s)

WINZENRIED ET AL.

Examiner

Angelica Ruiz

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2169

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 05/17/2007.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 9-27 are pending.

Priority

2. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 03029967.1 EP, filed on December/12/2003.

Claim Objections

3. Claims 1-4 are objected to because of the following informalities: Complete meaning for abbreviations: "RAM, USB, and SCSI" should be stated and the abbreviation should be between parenthesis. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 9-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Bergsten et al. (US Patent No. 6,363,462 B1)** in view of **Higginbotham et al (US Patent 6,862,708 B1)**.

Claims 1-8 are canceled.

As per Claim 9, Bergsten discloses:

- ***A method for controlling a data processing device having a processor, which is connected to a computer via an interface, comprising generating a device specific command by an application program on the computer; and characterized by the following steps:***

(Col. 33-40, "A prototypical device commanding system generally can include a selection of commands for **controlling the target device**. In addition, the prototypical device commanding system can include a command formatting engine for appropriately formatting a chosen command with selected parameters in order to provide to the target") and (Abstract and Claim 8, "A **method** of extending a commutation engine for formatting a command buffer in a device commanding system comprising the steps of: defining a constant which..") and (Col. 1, lines 44-47, "**device commanding systems can process proprietary commanding languages**. Using the proprietary commanding language, a user of a device commanding system can control a target").

- ***storing the command in a special file;***

(Col. 3, lines 31-37, "The compiling step can comprise the steps of: storing the device command, the parameters and the corresponding constant in a data structure; and, writing the data structure to a record in the device command database.") "record" being the "special file".

- ***transmitting the special file from the computer to the device by means of the write command of the operating system of the computer;***

(Col. 4, lines 46-52, "... **format and transmit the device commands** to various types of target devices.") and (Col. 8, lines 45-50, "... **write a corresponding set of instructions,**")

- ***receiving the special file by the device; reading the device specific command from the special file;***

(Col. 8, lines 55-59, "FIG. 1. Once a device command has been received through the command interface 5").

- ***and executing the device specific command read from the special file by the processor of the device***

(Col. 8, lines 3-5, "In consequence, at run-time, the command formatter 2 can execute an appropriate set of instructions in response to a receiving a corresponding opcode.").

However Higginbotham does not disclose, the underlined claimed features "having a processor" and "reading".

On the other hand Bergsten discloses "having a processor" and "reading" as follows: (Col. 1, lines 43-45, "is a storage controller which includes a processor") and (FIG. 14, "is a flow diagram illustrating a routine for **reading data** from a mass storage device in response to a request from a host").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention was made to incorporate the teachings of Bergsten into the method of Higginbotham to control a data processing device having a processor and read and write commands. The modification would have been obvious because one of the

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ordinary skill in the art would implement controlling a data processing device to rely on for access to a computer subsystem being the device and administer its functionality.

As per Claim 10, the rejection of Claim 9 is incorporated and further Higginbotham discloses:

- ***characterized in that the command is executed when the special file contains identification.***

(Col. 5, lines 32-35, "Actual commutation can occur at run-time **by identifying an opcode corresponding to a device command** and commutating a command buffer according to a commutation method associated with the opcode.").

As per Claim 11, the rejection of Claim 9 is incorporated and further Higginbotham discloses:

- ***characterized in that an answer to the executed command is generated by the processor of the device.***

(Col. 3, lines 9-15, "As a result, the commutation engine, **in response to a run-time device command**, can consult the **device command database** to identify a constant corresponding to the run-time device command in order to specify a proper set of instructions for formatting the command buffer, where the specified proper set of instructions maps to the constant in the mapping step.").

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As per Claim 12, the rejection of Claim 9 is included and further Higginbotham does not disclose:

- characterized in that a status bit is written by the processor in the RAM of the device or in the special file, with reference to which bit an answer to the executed command is generated at the next access to the file.

However Bergsten discloses

- characterized in that a status bit is written by the processor in the RAM of the device or in the special file, with reference to which bit an answer to the executed command is generated at the next access to the file.

(Col. 6, lines 42-56, "FIG. 3 illustrates ... storage controller according to one embodiment of the present invention. ... includes a central processing unit (CPU) 10, random-access memory (**RAM**) ...") and (Col. 8, line 67, Col. 9, lines 1-4, "If the device is not ready, then in step 613 the routine exits with a "not ready" error being provided to the host. If the device is ready, then in step 605 it is determined whether the device is busy. If so, the routine exits in step 614 with the setting of a "busy" **condition flag**." "condition flag" being the "status bit".

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention was made to incorporate the teachings of Bergsten into the method of Higginbotham to control a data processing device having a processor and read and write commands. The modification would have been obvious because one of the ordinary skill in the art would implement controlling a data processing device to rely on for access to a computer subsystem being the device and administer its functionality.

As per Claim 13, the rejection of Claim 11 is included and further Higginbotham discloses:

- characterized in that the answer is buffered in a volatile or non volatile memory of the device.

(Abstract, "...formatting a command buffer in a device commanding system...").

However Higginbotham does not disclose "volatile or not volatile", on the other hand

Bergsten discloses the "volatile or on volatile" as follow:

(Col. 6, lines 47-63, "The storage controller 3 includes a central processing unit (CPU) 10, **random-access memory (RAM)** 11, a **non-volatile storage facility (NVSF)** 12, and an internal MSD 13, each coupled to a bus 17. Bus 17...").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention was made to incorporate the teachings of Bergsten into the method of Higginbotham to control a data processing device having a processor and read and write commands. The modification would have been obvious because one of the ordinary skill in the art would implement controlling a data processing device to rely on for access to a computer subsystem being the device and administer its functionality.

As per Claim 14, the rejection of Claim 11 is included and further Higginbotham discloses:

- ***characterized by the additional steps of: sending a read command of the operating system related to the special file from the computer to the device;***

(Col. 4, lines 46-52, "...**generate command databases**, and format and **transmit the device commands...**").

- ***receiving the read command in the device; storing the answer generated in the device in the special file, which is thereby modified;***

(Col. 8, lines 55-59, "FIG. 1. Once a device command has been **received through the command interface 5**") and (Col. 3, lines 5-15, "The compiling step can comprise the steps of: **storing the device command**, the parameters and the corresponding constant in a data structure; and, writing the data structure to a record in the device command database. ...").

However Higginbotham does not disclose:

- ***and returning the special file from the device to the computer (in the execution of the read command and "read"***

On the other hand Bergsten discloses:

and returning the special file from the device to the computer (in the execution of the read command and "read" as follow:

(Col. 5, lines 60-67, "Alternatively, the storage controller can be configured by using one of the host computers **to transmit configuration commands and data to the storage controller**. Further, a storage controller can be configured remotely via a local storage controller.").

Bergsten as follow discloses "read":

(Col. 15, lines 61-67, and Col. 16, lines 1-2, "A storage controller further allows data blocks to be write protected, so that a block cannot be modified from any host computer. Write protection may be desirable for purposes such as virus protection or implementation of security firewalls. Write protection can be achieved by configuring the storage controller appropriately at set-up time or by inputting a write protect command to the storage controller from a host computer.").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention was made to incorporate the teachings of Bergsten into the method of Higginbotham to control a data processing device having a processor and read and write commands. The modification would have been obvious because one of the ordinary skill in the art would implement controlling a data processing device to rely on for access to a computer subsystem being the device and administer its functionality.

As per Claim 15, the rejection of Claim 14 is included and further Higginbotham disclose:

- receiving the returned special file by the computer; recognizing that the special file contains an answer; and reading the answer from the special file and further processing of the answer in the application program

(Col. 8, lines 3-5, "In consequence, at run-time, the command formatter 2 can execute an appropriate set of instructions **in response to a receiving a corresponding**

opcode.”) and (Col. 1, lines 44-47, “Depending upon the target device, each **recognizable command** can include a variety of operational parameters.”).

As per Claim 16, the rejection of Claim 11 is included and further Higginbotham discloses:

- ***characterized in that the answer generated by the processor of the device is the device status or an error message.***

(Col. 4, lines 26-30, “In operation, the port switch 400 will preferably start in a **default state with certain port inputs connected to a desired Controller**. The example of FIG. 4 shows a system having a default state with four Ports, two devices connected to Ports A and B, one Hub Element 401, and one Controller A”) and (Col. 5, lines 10-15, “The List Processor 210 preferably performs an action such as but not limited to: transmit the data element to system memory, **cause a pending transaction to be completed, cause an error to be transmitted to the system, cause an error to be transmitted to the interface, prepare data for transmission to the interface.**”).

As per Claim 17, the rejection of Claim 11 is included and further Higginbotham does not disclose:

- ***characterized in that the special file is identified with reference to its special, flexible block address.***

On the other hand Bergsten discloses, “characterized in that the special file is identified with reference to its special, flexible block address” as follow:

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(Col. 10, lines 54-67, Col. 11, line 1, "...the logical block address of the data is mapped to a physical block address in the manner described above. In step 1003, the block or blocks are read from the selected device using the physical block address.").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention was made to incorporate the teachings of Bergsten into the method of Higginbotham to control a data processing device having a processor and read and write commands. The modification would have been obvious because one of the ordinary skill in the art would implement controlling a data processing device to rely on for access to a computer subsystem being the device and administer its functionality.

As per Claim 18, the rejection of Claim 11 is included and further Higginbotham does not disclose:

- characterized in that the special file is written onto a mass storage device of the device or is read from a mass storage device of the device.

On the other hand Bergsten discloses, "*characterized in that the special file is written onto a mass storage device of the device or is read from a mass storage device of the device*" as follow:

(Abstract, "A network comprises at least one host processing system, a number of storage controllers, each coupled to one of a plurality of storage arrays, each storage **array including at least one mass storage device...**") and

(Col. 5, lines 60-67, "Alternatively, the storage controller can be configured by using one of the host computers **to transmit configuration commands and data to the storage**

controller. Further, a storage controller can be configured remotely via a local storage controller.”) and (Col. 14, lines 22-33, “As in the case of a **read operation**, if multiple copies are maintained, the storage controller can optionally be configured to concurrently **write different portions of a data set** to different copies stored on different devices (i.e., “spread” the writes) in order to improve performance. Also, the storage controller can be configured to “simulate” a **write to an MSD** without actually writing to a physical device for certain cases. This procedure may be desirable for purposes of **writing temporary data, such as data generated only for a specific job**. In such cases, the storage controller simply writes the data to its internal memory”). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention was made to incorporate the teachings of Bergsten into the method of Higginbotham to control a data processing device having a processor and read and write commands. The modification would have been obvious because one of the ordinary skill in the art would implement controlling a data processing device to rely on for access to a computer subsystem being the device and administer its functionality.

As per Claim 19, Higginbotham discloses:

- A system for controlling a data processing device, comprising a computer with an operating system and a data processing device with a processor, which is connected to the computer via an interface, characterized in that: a device specific command is generated by an application program on the computer and the command is stored in a special file on the computer; the

special file is transmitted to the connected device via the interface of the computer using the write command of the operating system of the computer; the device is designed for receiving the special file and for reading the device specific command from the special file; and the processor of the device executes the read specific command.

(Col. 33-40, "A prototypical device commanding system generally can include a selection of commands for **controlling the target device**. In addition, the prototypical device commanding system can include a command formatting engine for appropriately formatting a chosen command with selected parameters in order to provide to the target") and (Abstract and Claim 8, "A **method** of extending a commutation engine for formatting a command buffer in a device commanding system comprising the steps of: defining a constant which..") and (Col. 1, lines 44-47, "**device commanding systems can process proprietary commanding languages**. Using the proprietary commanding language, a user of a device commanding system can control a target") and (Col. 3, lines 31-37, "The compiling step can comprise the steps of: storing the device command, the parameters and the corresponding constant in a data structure; and, writing the data structure to a record in the device command database.") and (Col. 4, lines 46-52, "... **format and transmit the device commands** to various types of target devices.") and (Col. 8, lines 45-50, "... **write a corresponding set of instructions**,") and (Col. 8, lines 55-59, "FIG. 1. Once a device command has been received through the command interface 5") and (Col. 8, lines 3-5, "In consequence, at run-time,

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the command formatter 2 can execute an appropriate set of instructions in response to a receiving a corresponding opcode.”).

(Abstract, “...An extensible commutation engine for formatting a command buffer in a device commanding **system comprises** a modifiable list of constants...”).

However Higginbotham does not discloses “reading” and the “processor” on the other hand Bergsten discloses “reading”: as follows:

(FIG. 14, “is a flow diagram illustrating a routine for **reading data** from a mass storage device in response to a request from a host.”)

Bergsten discloses “processor” as follows:

(Col. 1, lines 42-45, “One aspect of the present invention is a storage controller **which includes a processor**, ...”)

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention was made to incorporate the teachings of Bergsten into the System of Higginbotham to control a data processing device having a processor and read and write commands. The modification would have been obvious because one of the ordinary skill in the art would implement controlling a data processing device to rely on for access to a computer subsystem being the device and administer its functionality.

As per Claim 20, the rejection of Claim 19 is included and further Higginbotham does not disclose:

- characterized in that the processor of the device executes the device specific command when the special file contains identification.

(Col. 5, lines 32-35, "Actual commutation can occur at run-time **by identifying an opcode corresponding to a device command** and commutating a command buffer according to a commutation method associated with the opcode.").

However Higginbotham does not disclose "processor" on the other hand Bergsten discloses "processor": as follows:

(Col. 1, lines 42-45, "One aspect of the present invention is a storage controller **which includes a processor, ...**").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention was made to incorporate the teachings of Bergsten into the System of Higginbotham to control a data processing device having a processor and read and write commands. The modification would have been obvious because one of the ordinary skill in the art would implement controlling a data processing device to rely on for access to a computer subsystem being the device and administer its functionality.

As per Claim 21, the rejection of Claim 19 is included and further Higginbotham discloses:

- characterized in that an answer to the executed device specific command is generated by the processor of the device.

(Col. 3, lines 9-15, "As a result, the commutation engine, **in response to a run-time device command**, can consult the **device command database** to identify a constant

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corresponding to the run-time device command in order to specify a proper set of instructions for formatting the command buffer, where the specified proper set of instructions maps to the constant in the mapping step.”).

However Higginbotham does not disclose “processor” on the other hand Bergsten discloses “processor”: as follows:

(Col. 1, lines 42-45, “One aspect of the present invention is a storage controller **which includes a processor, ...**”).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention was made to incorporate the teachings of Bergsten into the System of Higginbotham to control a data processing device having a processor and read and write commands. The modification would have been obvious because one of the ordinary skill in the art would implement controlling a data processing device to rely on for access to a computer subsystem being the device and administer its functionality.

As per Claim 22, the rejection of Claim 21 is included and further Higginbotham discloses:

- ***characterized in that the computer sends a read command of the operating system concerning the special file to the device after receiving the read command, the device stores the answer generated in the device in the special file, whereby the special file is modified; and the device returns the special file to the computer in the execution of the read command of the operating system of the computer.***

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(Col. 4, lines 46-52, "...**generate command databases**, and format and **transmit the device commands...**") and (Col. 8, lines 55-59, "FIG. 1. Once a device command has been **received through the command interface 5**") and (Col. 3, lines 5-15, "The compiling step can comprise the steps of: **storing the device command**, the parameters and the corresponding constant in a data structure; and, writing the data structure to a record in the device command database. ...").

However Higginbotham does not disclose:

- *and the device returns the special file to the computer in the execution of the read command of the operating system of the computer. And "read command".*

On the other hand Bergsten discloses:

- *and the device returns the special file to the computer in the execution of the read command of the operating system of the computer.*

as follow:

(Col. 5, lines 60-67, "Alternatively, the storage controller can be configured by using one of the host computers **to transmit configuration commands and data to the storage controller**. Further, a storage controller can be configured remotely via a local storage controller.") and (FIG. 14, "is a flow diagram illustrating a routine for **reading data** from a mass storage device in response to a request from a host.")

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention was made to incorporate the teachings of Bergsten into the System of Higginbotham to control a data processing device having a processor and read and

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write commands. The modification would have been obvious because one of the ordinary skill in the art would implement controlling a data processing device to rely on for access to a computer subsystem being the device and administer its functionality.

As per Claim 23, the rejection of Claim 19 is included and further Higginbotham discloses:

- ***characterized in that the device, to which the special file is transmitted by means of the write command of the operating system, comprises no mass storage device for storing files.***

(Col. 4, lines 46-52, "... **format and transmit the device commands** to various types of target devices.") and (Col. 8, lines 45-50, "... **write a corresponding set of instructions,**").

Higginbotham, (Title: Extensible device command commutation engine for formatting device commands for the controls of devices") does not comprise "mass storage device for storing files".

As per Claim 24, the rejection of Claim 19 is included and further Higginbotham disclose:

- ***characterized in that the interface of the computer is an USB interface or a SCSI interface.***

(Col. 8, lines 55-59, "FIG. 1. Once a device command has been received through the **command interface 5**").

However Higginbotham does not disclose "SCSI interface", on the other hand Bergsten discloses a "SCSI interface" as follows:

(Col. 4, lines 41-48, "In one embodiment, each storage controller communicates with its local host computer system and its local storage array using standard **Small Computer Systems Interface (SCSI)** protocols...").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention was made to incorporate the teachings of Bergsten into the System of Higginbotham to control a data processing device having a processor and read and write commands. The modification would have been obvious because one of the ordinary skill in the art would implement controlling a data processing device to rely on for access to a computer subsystem being the device and administer its functionality.

As per Claim 25, the rejection of Claim 19 is included and further Higginbotham does not disclose:

- ***characterized in that the processor for executing the read device specific command is arranged in an external device.***

On the other hand Bergsten discloses "characterized in that the processor for executing the read device specific command is arranged in an external device" as follow:

(Col. 1, lines 42-51, "The memory includes instructions which configure the storage controller to store data in an **external mass storage device** in response to a host processing system...") and (Col. 11, lines 59-64, "A **read on a block is performed by** obtaining a Shared Lock on that block. A device may obtain a Shared Lock on a data block, regardless of the current status of Shared Lock, provided Exclusive Lock for that block is not already set. When a read is initiated on a given block, Shared Lock for that block is set, so that no device may write to that block during the read operation.").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention was made to incorporate the teachings of Bergsten into the System of Higginbotham to control a data processing device having a processor and read and write commands. The modification would have been obvious because one of the ordinary skill in the art would implement controlling a data processing device to rely on for access to a computer subsystem being the device and administer its functionality.

As per Claim 26, Higginbotham discloses:

A device for executing a device specific command generated on a computer, with an interface for connecting to a computer, on which an application program generates the device specific command and stores it in a special file, and with a processor,

(Col. 8, lines 53-59, "can be executed and **device commands** can be sent to a **target device** through, among other means, a command interface 5 as shown in FIG. 1. Once a device command has been received through the **command interface 5**, the

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command formatter 2 can retrieve ...”) and (Col. 3, lines 31-37, “The compiling step can comprise the steps of: storing the device command, the parameters and the corresponding constant in a data structure; and, writing the data structure to a record in the device command database.”) “record” being the “special file”.

- ***characterized in that after receiving the special file, which is transmitted to the device by means of the write command of the operating system of the computer,***

(Col. 4, lines 46-52, “... **format and transmit the device commands** to various types of target devices.”) and (Col. 8, lines 45-50, “... **write a corresponding set of instructions,**”)

- ***via the interface of the computer, the device reads the device specific command from the special file; and the processor of the device executes the read device specific command.***

(Col. 8, lines 53-59, “through, among other means, a **command interface 5** as shown ...”)

However Higginbotham does not disclose “reading” on the other hand Bergsten discloses “reading: as follows:

(FIG. 14, “is a flow diagram illustrating a routine for **reading data** from a mass storage device in response to a request from a host.”) “such temporary data” being the “special file” as claimed.

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Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention was made to incorporate the teachings of Bergsten into the System of Higginbotham to control a data processing device having a processor and read and write commands. The modification would have been obvious because one of the ordinary skill in the art would implement controlling a data processing device to rely on for access to a computer subsystem being the device and administer its functionality.

As per Claim 27, the rejection of Claim 26 is included and further Higginbotham discloses:

- ***characterized in that the device comprises no mass storage device for storing files.***

Higginbotham, (Title: Extensible device command commutation engine for formatting device commands for the controls of devices”) does not comprise “mass storage device for storing files”.

Conclusion

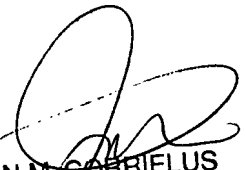
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angelica Ruiz whose telephone number is (571) 270-3158. The examiner can normally be reached on 7:30 a.m. to 5:00 p.m., ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ali can be reached on (571) 272-4105. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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JEAN M. CORRIELLUS
PRIMARY EXAMINER
Art Unit 2169
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